

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ARTHUR JOYAL BARKER

v.

STATE OF TEXAS

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CIVIL ACTION NO. 3:23-CV-2315-S-BH

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct, and they are **ACCEPTED** as the Findings and Conclusions of the Court.

For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, any claims in the Motion for Writ of Coram Nobis [sic] [ECF No. 2], received on October 10, 2023, challenging Petitioner's 2005 conviction or sentence will be **DISMISSED** by separate judgment based on the prior filing and monetary sanctions imposed against Petitioner by the Fifth Circuit, and any request for *coram nobis* relief will be **DISMISSED** for lack of jurisdiction.¹

If Petitioner files a notice of appeal, he must pay the \$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

¹ A certificate of appealability is not required to appeal the dismissal of a petition for writ of error *coram nobis*. See, e.g., *United States v. Few*, 372 F. App'x 564, 565 (5th Cir. 2010).

SO ORDERED.

SIGNED December 6, 2023.



UNITED STATES DISTRICT JUDGE